

## SENATE BILL No. 563

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-24.

**Synopsis:** Driver's licenses. Gradually raises the minimum age for the issuance of learner's permits and probationary operator's licenses in future years. Sets requirements for practice driving before a probationary license can be issued. Prohibits a driver with a probationary license from operating a motor vehicle between 9 p.m. and 5 a.m. or while using a cell phone. Sets requirements for the age and number of passengers who may accompany a probationary driver.

**Effective:** July 1, 2007.

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January 23, 2007, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL No. 563

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-24-3-1 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2007]: Sec. 1. Except as otherwise provided in  
3 this article, the bureau shall issue an operator's license to an individual  
4 who meets the following conditions:

5 (1) Satisfies the age requirements described in section 2 of this  
6 chapter.

7 (2) Makes proper application to the bureau under IC 9-24-9 upon  
8 a form prescribed by the bureau. **The form must include a**  
9 **verification concerning the applicant's completion of the**  
10 **thirty (30) hours of supervised driving practice as required in**  
11 **sections 2, 2.1, 2.2, 2.3, 2.4, and 2.5 of this chapter.**

12 (3) Satisfactorily passes the examination and tests required for  
13 issuance of an operator's license under IC 9-24-10.

14 (4) Pays the fee prescribed by IC 9-29-9.

15 SECTION 2. IC 9-24-3-2, AS AMENDED BY P.L.156-2006,  
16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2007]: Sec. 2. Except as provided in section 3 of this chapter,

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an individual must meet one (1) of the following conditions to receive an operator's license:

(1) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and thirty (30) days of age.

(B) Has held a valid learner's permit at least ~~sixty (60)~~ **one hundred eighty (180)** days.

(C) Has obtained an instructor's certification that the applicant has satisfactorily completed an approved driver education course.

(D) Has passed the required examination.

**(E) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.**

(2) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and ~~one hundred eighty (180)~~ **days seven (7) months** of age.

(B) Has held a valid learner's permit for at least ~~sixty (60)~~ **one hundred eighty (180)** days.

(C) Has passed the required examination.

**(D) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.**

(3) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has, within the past three (3) years, held an Indiana operator's, chauffeur's, or public passenger chauffeur's license that has not been suspended or revoked.

(C) Passes the required examination.

(4) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has previously been a nonresident of Indiana but who, at the time of application, qualifies as an Indiana resident.

(C) Has held for at least one (1) year an unrevoked operator's, chauffeur's, or public passenger chauffeur's license in the state, district, or county in which the applicant has been a resident.

(D) Passes the required examination.

**This section expires June 30, 2008. The expiration of this section does not affect the validity of an operator's license issued under**

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1 this section.

2 SECTION 3. IC 9-24-3-2.1 IS ADDED TO THE INDIANA CODE  
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
4 1, 2007]: **Sec. 2.1. This section applies beginning July 1, 2008.**  
5 **Except as provided in section 3 of this chapter, an individual must**  
6 **meet one (1) of the following conditions to receive an operator's**  
7 **license:**

8 (1) The applicant meets the following conditions:

9 (A) Is at least sixteen (16) years and two (2) months of age.

10 (B) Has held a valid learner's permit at least one hundred  
11 eighty (180) days.

12 (C) Has obtained an instructor's certification that the  
13 applicant has satisfactorily completed an approved driver  
14 education course.

15 (D) Has passed the required examination.

16 (E) Completes at least thirty (30) hours of supervised  
17 driving practice with a licensed instructor or a licensed  
18 driver who is at least twenty-one (21) years of age, of which  
19 at least ten (10) hours are nighttime driving.

20 (2) The applicant meets the following conditions:

21 (A) Is at least sixteen (16) years and eight (8) months of  
22 age.

23 (B) Has held a valid learner's permit for at least one  
24 hundred eighty (180) days.

25 (C) Has passed the required examination.

26 (D) Completes at least thirty (30) hours of supervised  
27 driving practice with a licensed instructor or a licensed  
28 driver who is at least twenty-one (21) years of age, of which  
29 at least ten (10) hours are nighttime driving.

30 (3) The applicant meets the following conditions:

31 (A) Is at least sixteen (16) years and one hundred eighty  
32 (180) days of age.

33 (B) Has, within the past three (3) years, held an Indiana  
34 operator's, chauffeur's, or public passenger chauffeur's  
35 license that has not been suspended or revoked.

36 (C) Passes the required examination.

37 (4) The applicant meets the following conditions:

38 (A) Is at least sixteen (16) years and one hundred eighty  
39 (180) days of age.

40 (B) Has previously been a nonresident of Indiana but who,  
41 at the time of application, qualifies as an Indiana resident.

42 (C) Has held for at least one (1) year an unrevoked

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operator's, chauffeur's, or public passenger chauffeur's  
license in the state, district, or county in which the  
applicant has been a resident.

(D) Passes the required examination.

This section expires June 30, 2009. The expiration of this section  
does not affect the validity of an operator's license issued under  
this section.

SECTION 4. IC 9-24-3-2.2 IS ADDED TO THE INDIANA CODE  
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
1, 2007]: Sec. 2.2. This section applies beginning July 1, 2009.  
Except as provided in section 3 of this chapter, an individual must  
meet one (1) of the following conditions to receive an operator's  
license:

(1) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and three (3) months of  
age.

(B) Has held a valid learner's permit at least one hundred  
eighty (180) days.

(C) Has obtained an instructor's certification that the  
applicant has satisfactorily completed an approved driver  
education course.

(D) Has passed the required examination.

(E) Completes at least thirty (30) hours of supervised  
driving practice with a licensed instructor or a licensed  
driver who is at least twenty-one (21) years of age, of which  
at least ten (10) hours are nighttime driving.

(2) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and nine (9) months of age.

(B) Has held a valid learner's permit for at least one  
hundred eighty (180) days.

(C) Has passed the required examination.

(D) Completes at least thirty (30) hours of supervised  
driving practice with a licensed instructor or a licensed  
driver who is at least twenty-one (21) years of age, of which  
at least ten (10) hours are nighttime driving.

(3) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty  
(180) days of age.

(B) Has, within the past three (3) years, held an Indiana  
operator's, chauffeur's, or public passenger chauffeur's  
license that has not been suspended or revoked.

(C) Passes the required examination.

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**(4) The applicant meets the following conditions:**

**(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.**

**(B) Has previously been a nonresident of Indiana but who, at the time of application, qualifies as an Indiana resident.**

**(C) Has held for at least one (1) year an unrevoked operator's, chauffeur's, or public passenger chauffeur's license in the state, district, or county in which the applicant has been a resident.**

**(D) Passes the required examination.**

**This section expires June 30, 2010. The expiration of this section does not affect the validity of an operator's license issued under this section.**

**SECTION 5. IC 9-24-3-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.3. This section applies beginning July 1, 2010. Except as provided in section 3 of this chapter, an individual must meet one (1) of the following conditions to receive an operator's license:**

**(1) The applicant meets the following conditions:**

**(A) Is at least sixteen (16) years and four (4) months of age.**

**(B) Has held a valid learner's permit at least one hundred eighty (180) days.**

**(C) Has obtained an instructor's certification that the applicant has satisfactorily completed an approved driver education course.**

**(D) Has passed the required examination.**

**(E) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.**

**(2) The applicant meets the following conditions:**

**(A) Is at least sixteen (16) years and ten (10) months of age.**

**(B) Has held a valid learner's permit for at least one hundred eighty (180) days.**

**(C) Has passed the required examination.**

**(D) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.**

**(3) The applicant meets the following conditions:**

**(A) Is at least sixteen (16) years and one hundred eighty**

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(180) days of age.

(B) Has, within the past three (3) years, held an Indiana operator's, chauffeur's, or public passenger chauffeur's license that has not been suspended or revoked.

(C) Passes the required examination.

(4) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has previously been a nonresident of Indiana but who, at the time of application, qualifies as an Indiana resident.

(C) Has held for at least one (1) year an unrevoked operator's, chauffeur's, or public passenger chauffeur's license in the state, district, or county in which the applicant has been a resident.

(D) Passes the required examination.

This section expires June 30, 2011. The expiration of this section does not affect the validity of an operator's license issued under this section.

SECTION 6. IC 9-24-3-2.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.4. This section applies beginning July 1, 2011. Except as provided in section 3 of this chapter, an individual must meet one (1) of the following conditions to receive an operator's license:

(1) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and five (5) months of age.

(B) Has held a valid learner's permit at least one hundred eighty (180) days.

(C) Has obtained an instructor's certification that the applicant has satisfactorily completed an approved driver education course.

(D) Has passed the required examination.

(E) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.

(2) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and eleven (11) months of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Has passed the required examination.

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(D) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.

(3) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has, within the past three (3) years, held an Indiana operator's, chauffeur's, or public passenger chauffeur's license that has not been suspended or revoked.

(C) Passes the required examination.

(4) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has previously been a nonresident of Indiana but who, at the time of application, qualifies as an Indiana resident.

(C) Has held for at least one (1) year an unrevoked operator's, chauffeur's, or public passenger chauffeur's license in the state, district, or county in which the applicant has been a resident.

(D) Passes the required examination.

This section expires June 30, 2012. The expiration of this section does not affect the validity of an operator's license issued under this section.

SECTION 7. IC 9-24-3-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. This section applies beginning July 1, 2012. Except as provided in section 3 of this chapter, an individual must meet one (1) of the following conditions to receive an operator's license:

(1) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and six (6) months of age.

(B) Has held a valid learner's permit at least one hundred eighty (180) days.

(C) Has obtained an instructor's certification that the applicant has satisfactorily completed an approved driver education course.

(D) Has passed the required examination.

(E) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.

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(2) The applicant meets the following conditions:

(A) Is at least seventeen (17) years of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Has passed the required examination.

(D) Completes at least thirty (30) hours of supervised driving practice with a licensed instructor or a licensed driver who is at least twenty-one (21) years of age, of which at least ten (10) hours are nighttime driving.

(3) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has, within the past three (3) years, held an Indiana operator's, chauffeur's, or public passenger chauffeur's license that has not been suspended or revoked.

(C) Passes the required examination.

(4) The applicant meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has previously been a nonresident of Indiana but who, at the time of application, qualifies as an Indiana resident.

(C) Has held for at least one (1) year an unrevoked operator's, chauffeur's, or public passenger chauffeur's license in the state, district, or county in which the applicant has been a resident.

(D) Passes the required examination.

SECTION 8. IC 9-24-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The bureau shall issue a learner's permit to an individual who meets the following conditions:

(1) Is at least fifteen (15) years and two (2) months of age.

(2) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.

(3) Is enrolled in an approved driver education course.

**This subsection expires June 30, 2008.**

(b) Effective July 1, 2008, the bureau shall issue a learner's permit to an individual who meets the following conditions:

(1) Is at least fifteen (15) years and four (4) months of age.

(2) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.

(3) Is enrolled in an approved driver education course.

**This subsection expires June 30, 2009.**

(c) Effective July 1, 2009, the bureau shall issue a learner's

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1 permit to an individual who meets the following conditions:

2 (1) Is at least fifteen (15) years and six (6) months of age.

3 (2) If less than eighteen (18) years of age, is not ineligible  
4 under IC 9-24-2-1.

5 (3) Is enrolled in an approved driver education course.

6 This subsection expires June 30, 2010.

7 (d) Effective July 1, 2010, the bureau shall issue a learner's  
8 permit to an individual who meets the following conditions:

9 (1) Is at least fifteen (15) years and eight (8) months of age.

10 (2) If less than eighteen (18) years of age, is not ineligible  
11 under IC 9-24-2-1.

12 (3) Is enrolled in an approved driver education course.

13 This subsection expires June 30, 2011.

14 (e) Effective July 1, 2011, the bureau shall issue a learner's  
15 permit to an individual who meets the following conditions:

16 (1) Is at least fifteen (15) years and ten (10) months of age.

17 (2) If less than eighteen (18) years of age, is not ineligible  
18 under IC 9-24-2-1.

19 (3) Is enrolled in an approved driver education course.

20 This subsection expires June 30, 2011.

21 (f) Effective July 1, 2012, the bureau shall issue a learner's  
22 permit to an individual who meets the following conditions:

23 (1) Is at least sixteen (16) years of age.

24 (2) If less than eighteen (18) years of age, is not ineligible  
25 under IC 9-24-2-1.

26 (3) Is enrolled in an approved driver education course.

27 (g) The expiration of subsections (a) through (e) does not affect  
28 the validity of a learner's permit issued under one (1) of those  
29 subsections.

30 SECTION 9. IC 9-24-7-3 IS AMENDED TO READ AS FOLLOWS  
31 [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The bureau shall issue a  
32 validated learner's permit to an individual who is at least sixteen (16)  
33 years **and two (2) months** of age upon passing the required  
34 examination. **This subsection expires June 30, 2008.**

35 (b) Effective July 1, 2008, the bureau shall issue a validated  
36 learner's permit to an individual who is at least sixteen (16) years  
37 **and four (4) months** of age upon passing the required examination.  
38 **This subsection expires June 30, 2009.**

39 (c) Effective July 1, 2009, the bureau shall issue a validated  
40 learner's permit to an individual who is at least sixteen (16) years  
41 **and six (6) months** of age upon passing the required examination.  
42 **This subsection expires June 30, 2010.**

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(d) Effective July 1, 2010, the bureau shall issue a validated learner's permit to an individual who is at least sixteen (16) years and eight (8) months of age upon passing the required examination. This subsection expires June 30, 2011.

(e) Effective July 1, 2011, the bureau shall issue a validated learner's permit to an individual who is at least sixteen (16) years and ten (10) months of age upon passing the required examination. This subsection expires June 30, 2012.

(f) Effective July 1, 2012, the bureau shall issue a validated learner's permit to an individual who is at least seventeen (17) years of age upon passing the required examination.

(g) The expiration of subsections (a) through (e) does not affect the validity of a learner's permit issued under one (1) of those subsections.

SECTION 10. IC 9-24-11-3, AS AMENDED BY P.L.156-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

(b) An individual holds a probationary license subject to the following conditions:

(1) ~~Except as provided in IC 31-37-3,~~ The individual may not operate a motor vehicle during the curfew hours specified in ~~IC 31-37-3-2:~~ **from 9 p.m. until 5 a.m. of the following morning.**

(2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless another individual:

(A) who:

~~(A) (i)~~ **(i)** is at least ~~twenty-one (21)~~ **twenty-five (25)** years of age; and

~~(B) (ii)~~ **(ii)** holds a valid operator's license issued under this article; **or**

**(B) who is a certified driver education instructor;**

is present in the front seat of the motor vehicle.

**(3) Beginning ninety-one (91) days after the issuance of the probationary license until the individual is seventeen (17) years of age, the individual may not operate a motor vehicle in which there is more than one (1) passenger who is less than eighteen (18) years of age.**

~~(3) (4)~~ **(4)** The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle has a safety belt, **or child passenger restraint system, if the passenger is a**

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1 **child less than sixteen (16) years of age as required under**  
2 **IC 9-19-11**, properly fastened about the occupant's body at all  
3 times when the motor vehicle is in motion.

4 (c) An individual who holds a probationary license issued under this  
5 section may receive an operator's license, a chauffeur's license, a public  
6 passenger chauffeur's license, or a commercial driver's license when the  
7 individual is at least eighteen (18) years of age.

8 (d) A probationary license issued under this section:

9 (1) expires at midnight of the twenty-first birthday of the holder;  
10 and

11 (2) may not be renewed.

12 **(e) An individual who holds a probationary license under this**  
13 **chapter may not operate a motor vehicle while using a cellular or**  
14 **other wireless communications device.**

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